



TITLE 49 COMMITTEE

PLANNING COMMISSION, CITY AND BOROUGH OF JUNEAU

JUNE 12, 2015 MEETING, 11:30 AM – 1:00 PM

COMMUNITY DEVELOPMENT DEPARTMENT (CDD) CONFERENCE ROOM

MEETING MINUTES

Committee Members Present:

Nicole Grewe (Chair), Paul Voelckers, Bill Peters, Dennis Watson (Alternate)

Committee Members Absent:

Mike LeVine

Staff Present:

Beth McKibben, Planning Manager, Community Development Department (CDD)

Rob Palmer, Attorney, Department of Law (DOL)

Public or Other Present:

None present

Reading of Agenda

- Motion by Peters: To approve the agenda for the June 12, 2015 meeting.
- Vote: Motion carried.
- Resolved: Agenda for the meeting of June 12, 2015 approved without modification.

Approval of Minutes

- Motion by Peters: To approve the minutes for May 26, 2015 meeting as developed by CDD staff with any technical corrections presented by planning commissioners or CDD staff.
- Vote: Motion carried.
- Resolved: Minutes for May 26, 2015 meeting approved as developed by CDD staff with any technical corrections presented by planning commissioners or CDD staff.

Agenda Topic – Transitional Housing

- DOL provided brief overview of recent Haven House decision(s) and potential appeal to superior court. The Haven House decision, and related concerns, serves as impetus (and context) for considering changes to the Table of Permissible Uses (T49) related to group homes, transitional housing, correctional facilities, and corresponding definitions. Notably, DOL asserted the T49 Committee has any amount of time needed to fully consider proposed T49 changes. While Haven House, and related PC and Assembly decisions, remain in the forefront – there is time to fully deliberate PC decisions.
- Committee discussion focused on documents submitted by CDD staff prior to meeting including:
 1. June 1, 2015 Staff Memorandum to Planning Commission regarding Transitional Housing
 2. October 13, 2014 Department of Corrections Letter
 3. August 26, 2014 Unlisted Use Notice of Decision re Transitional Housing
 4. August 14, 2014 Memorandum from CBJ Law Department
 5. Anchorage Municipal Code definitions (AMC 21.05.040)

- Grewe expressed preference for considering any changes to T49's TPU comprehensively – not simply a reaction to the recent discussions and public hearings related to Haven House. And, that the Code of Ordinances in place at the time of Haven House decisions will be used in any appeal. Finally, expressed concern in jumping to code changes while Haven House decisions might be under appeal.
- Palmer indicated it is appropriate to consider TPU changes at this time regarding transitional housing, group homes, and correctional facilities.
- McKibben further affirmed that the Haven House decision(s) highlighted the need to clean up our code – especially to resolve “use not listed” issues.
- Voelckers initial reaction affirmed suggested edits – noted they were simple, elegant, and with brevity.
- Peters discussed details related to group homes. Namely, group home category is eliminated and will be considered as single or multi-family structure.
- Palmer emphasized the PC should remain focused on planning impacts, not categories of people. Also, stressed the importance of federally-protected classes of people.
- Grewe inquired about any missing use categories that should also be further studied, at this time, to ensure full context of proposed TPU changes are adequately deliberated.
- Palmer discussed substantive definition changes including transitional housing, correctional facility, assisted living, and a variety of deletions from the current TPU.
- Peters suggested change to correctional facility from “prisoner” to “persons”. All agreed.
- Motion by Peters: To recommend approval to the full PC of all changes to Table of Permissible Uses (and associated definitions) as crafted by CDD and DOL and with the exception language change presented by Peters.
- Vote: Motion carried by unanimous consent.
- Resolved: Final ordinance will be drafted by CDD staff, reviewed by DOL, and forwarded for full PC consideration. Ordinance's first public hearing likely to occur July 2015.

Committee Member Comments and Questions

- Discussion regarding three rezone protests heard by Assembly the prior evenings.

CDD Staff Discussion

- Will continue to work on high priority T49 changes throughout summer and fall season to address remaining Assembly and Planning Commission priorities. Will move towards lower-priority T49 changes during late fall/early winter.

Meeting adjourned at 1:00 PM